

RECEIVED  
CENTRAL FAX CENTER

OCT 11 2005

## FACSIMILE COVER SHEET

DATE: October 11, 2005

TO: Examiner VIG, Naresh  
USPTO GPAU 3629

FAX NO.: 571/273-8300

FROM: Jeffrey G. Toler  
Reg. No.: 38,342

RE U.S. App. No.: 10/662,890, filed September 15, 2003

Applicant(s): David Patron, et al.

Atty Dkt No.: 1033-T00538

Title: DOWNLOADABLE CONTROL POLICIES FOR INSTANT  
MESSAGING USAGE

NO. OF PAGES (including Cover Sheet): 10

## MESSAGE:

Attached please find:

- ☒ Transmittal Form (1 pg)
- ☒ Reply to Non-Final Office Action(8 pgs)

5000 Plaza On The Lake  
Suite 265  
AUSTIN, TEXAS 78746Tel: (512) 327-5515  
Fax: (512) 327-5452

## CONFIDENTIALITY NOTE

The pages accompanying this facsimile transmission contain information from the law office of Toler, Larson & Abel, L.L.P. and are confidential and privileged. The information is intended to be used by the individual(s) or entity(ies) named on this cover sheet only. If you are not the intended recipient be aware that reading disclosing copying distribution or use of the contents of this transmission is prohibited. Please notify us immediately if you have received this transmission in error as the number listed above and return the document to us via regular mail.


PTO/SB/21 (09-04)

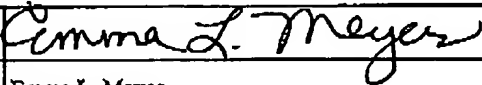
Approved for use through 07/31/2008, OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/662,890	
	Filing Date	September 15, 2003	
	First Named Inventor	David Patron	
	Art Unit	3629	
	Examiner Name	Naresh Vig	
Total Number of Pages in This Submission	10	Attorney Docket Number	1033-T00538

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____ <div style="text-align: center; font-size: 1.2em;">CUSTOMER NO.: 34456</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Toler, Larson & Abel, L.L.P.	
Signature		
Printed name	Jeffrey G. Toler	
Date	10-11-2005	Reg. No. 38,342

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Emma L. Meyer	Date October 11, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CUSTOMER NO.  
34456**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): David Patron et al.

Title: DOWNLOADABLE CONTROL POLICIES FOR INSTANT  
MESSAGING USAGE

App. No.: 10/662,890

Filed: September 15, 2003

Examiner: Naresh Vig

Group Art Unit: 3629

Atty. Dkt. No.: 1033-T00538

Confirmation No.: 1159

**M/S AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**REPLY TO NON-FINAL OFFICE ACTION**

Dear Sir:

In reply to the Non-Final Office Action mailed September 6, 2005, Applicants respectfully request reconsideration of the claim rejections in view of the amendments and the arguments presented below.

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents on <u>October 11, 2005</u>	
_____ Emma L. Meyer Typed or Printed Name	<u>Emma L. Meyer</u> _____ Signature